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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)
TN-1444

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on February 13, 2002.

Signature Helen M. WinklerTyped or printed
Name Helen M. Winkler

In re Application of

Roger Q. Smith

Application Number

09/153,621

COPY OF PAPERS
ORIGINALLY FILED

Filed

September 15, 1998

For

Heavy-Duty Audio Equipment

Group Art Unit
2841Examiner
T. DinhRECEIVED
U.S. PATENT & TRADEMARK OFFICE
MAY 5 2002
MAIL ROOM

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2548. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

attorney or agent of record.

Adan Ayala, Esq., Reg. No. 38,373

attorney or agent acting under 37 CFR 1.34(a).

Typed or printed name

Registration number if acting under 37 CFR 1.34(a).

February 13, 2002

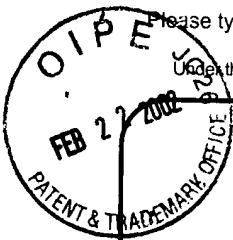
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

AF/284/118

Please type a plus sign (+) inside this box →

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**TRANSMITTAL
FORM 2800 MAIL ROOM**

MAR - 5 2002

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/153,621
Filing Date	September 15, 1998
First Named Inventor	Roger Q. Smith
Group Art Unit	2841
Examiner Name	T. Dinh
Total Number of Pages in This Submission	Attorney Docket Number TN-1444

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Adan Ayala, Esq.

Signature

Date

February 13, 2002

CERTIFICATE OF MAILING

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Typed or printed name

Signature

Date

February 13, 2002

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

<i>Complete if Known</i>	
Application Number	09/153,621
Filing Date	September 15, 1998
First Named Inventor	Roger Q. Smith
Examiner Name	T. Dinh
Group / Art Unit	2841
Attorney Docket No.	TIN-1444

METHOD OF PAYMENT (check one)

1. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
Deposit Account Number	<div style="border: 1px solid black; padding: 5px; width: 150px; height: 20px;">02-2548</div>
Deposit Account Name	<div style="border: 1px solid black; padding: 5px; width: 150px; height: 20px;">Black & Decker Inc.</div>
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee (\$)
101	740	Utility filing fee
106	330	Design filing fee
107	510	Plant filing fee
108	740	Reissue filing fee
114	160	Provisional filing

SUBTOTAL (1)

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	<input type="text"/>	-20 **	= <input type="text"/> X <input type="text"/>	= <input type="text"/>
Independent Claims	<input type="text"/>	-3 **	= <input type="text"/> X <input type="text"/>	= <input type="text"/>
Multiple Dependent			X <input type="text"/>	= <input type="text"/>

474

Fee Fee Fee Fee

Code	(\$)	Code	(\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater: For Reissues, see above

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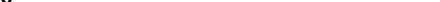
3. ADDITIONAL FEES					Fee Description	Fee Paid
Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)			
105	130	205	65	Surcharge - late filing fee or oath		
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		
139	130	139	130	Non-English specification		
147	2,520	147	2,520	For filing a request for reexamination		
112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
115	110	215	55	Extension for reply within first month		
116	400	216	200	Extension for reply within second month		
117	920	217	460	Extension for reply within third month		
118	1,440	218	720	Extension for reply within fourth month		
128	1,960	228	980	Extension for reply within fifth month		
119	320	219	160	Notice of Appeal		320
120	320	220	160	Filing a brief in support of an appeal		
121	280	221	140	Request for oral hearing		
138	1,510	138	1,510	Petition to institute a public use proceeding		
140	110	240	55	Petition to revive – unavoidable		
141	1,280	241	640	Petition to revive – unintentional		
142	1,280	242	640	Utility issue fee (or reissue)		
143	460	243	230	Design issue fee		
144	620	244	310	Plant issue fee		
122	130	122	130	Petitions to the Commissioner		
123	50	123	50	Processing fee under 37 CFR 1.17 (q)		
126	180	126	180	Submission of Information Disclosure Stmt		
581	40	581	40	Recording each patent assignment per property (times number of properties)		
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		
179	740	279	370	Request for Continued Examination (RCE)		
169	900	169	900	Request for expedited examination of a design application		

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 320

SUBMITTED BY

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Adan Ayala, Esq.	Registration No. Attorney/Agent)	38,373	Telephone	410-716-2368
Signature				Date	February 13, 2002

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